

VILLAGE OF EAGLE REGULAR BOARD MEETING MINUTES

September 10, 2015

Approved

Call to Order/Open Meeting Law requirements:

R. Spurrell called the meeting to order at 7:00pm.

Roll Call: G. Hein, J. Hoefakker, R. Spurrell, G. Scheff, L. Neuburg, J. Frisch present; P. Jones excused

Pledge of Allegiance: Pledge of Allegiance was led by R. Spurrell.

Review/Approval of Minutes: Motion to approve Regular Village Board Meeting minutes from the meeting held August 13, 2015 made by J. Frisch. Seconded by L. Neuburg. Motion carried (6-0).

Review/Approval of Treasurer's Report, including regular monthly accounts payable and journal entry

log: Board members reviewed reports. J. Frisch had a questions on checks made to Sealmaster and Payne & Dolan. G. Scheff, Public Works Committee chair, explained that the expenses were for the tennis court repairs. Motion to approve Treasurer's Report, monthly accounts payable, and journal entry log made by L. Neuburg. Seconded by G. Scheff. Motion carried (6-0).

Clerk's Report: Clerk C. Zindars recapped her visit to the annual WMCA Conference she attended in August. She outlined several classes attended, learning opportunities, and reference materials she received. She announced that a call was received in the office from a representative from Congressman Paul Ryan's office to reserve the community room for a Listening Session on October 1st and stated that more information would be available on the village website once it was received. C. Zindars also announced that the office would be able to accept credit card payments for utilities and miscellaneous fees in the office via GovPay beginning October 1st.

Citizen Comments/Concerns:

L. Wilkinson, 404 Kettle Moraine Dr – suggested that action on the Waukesha County Sheriff's Department item on the agenda be tabled until after comment can be heard from the public.

T. Tegen, 342 Waukesha Rd. – stated that he is the citizen representative on the Code & Ordinance Committee. He supported passing the chicken ordinance and addressed opposition by stating the following points: the municipal code is vague and believes it is legal to own chickens in the Village, many other municipalities have passed ordinances allowing chickens with no noted issues, these municipalities have not rescinded their ordinances, questioned why others thought chickens could not be considered a pet, and he believed the younger generation supports raising chickens. He stated that he thought that the proposed chicken ordinance was well thought-out. He recognized the Village as rural and thought it should be embraced as such.

M. Rice, 601 Old Prospectors Trail – spoke about Bielinski's request to waive impact fees for the senior housing project. He referred to the Impact fees section of the Municipal Code and explained that it stated that the Board did not have authority to waive impact fees unless for the establishment of subsidized housing for the elderly only. He also gave a brief history of the establishment of the Village and the progression of the development of the Village though the Zoning code. He explained his belief that those involved in the development of the Village no longer wanted a farming community and their intent was to leave farm animals out of the Village. He also commented on the presentation to be given by the Waukesha County Sheriff's Department and stated that his belief was that those in the

community supported law enforcement, however thought the existing department could no longer be afforded because of other needs such as the Library, Fire Department, and Park & Rec Department.

B. Dingle, 116 South St – commented on the strong smell from the horses present in the Village over the weekend. He also commented on the noise from Knuckleheads and Suhmers over the weekend, stating that the Police Department took a decibel reading between 80 and 85 from his house.

D. Snider, 512 Homesteaders Retreat – expressed his support for the Eagle Police Department, and detailed an incident with vandals at the playground and individuals breaking into a neighbor's car. He explained that the response time from the Waukesha County Sheriff's Department was over a half hour, up to an hour. He stated they did not provide the same level of service as the Eagle PD.

D. Schnabel, 624 E. Main St – inquired as to the status of the abandon house on Main St

J. Suhm, representing the Eagle Business Association – announced the Miles of Smiles 5K Run/Walk coming up on September 12th, registration at the gazebo

L. Fejnus, 103 Eagle St – stated that the noise level over the weekend was very loud and that she had taken her own decibel reading of 85db.

J. Steinhart, 523 E. Main St – described a situation that occurred over the weekend and explained that a neighbor had fallen in her garage, she called 911, and the EMS team responded quickly. She stated that they did a great job and thanked them for their help.

B. Weimer, 308 Elkhorn Rd – inquired about the possibility of the speed limit being dropped to 25mph along the cemetery on Elkhorn Rd. G. Scheff explained that he had tried approaching the State about the subject, but discovered they desired to raise the speed limit to 45mph, so it has not been pursued since, but assured B. Weimer that he would bring it to the committee.

S. Wilton, 231 E Eagle St. – supports the Eagle Police Department and asked if there was a possibility of cutting the budget in other ways in order to keep local law enforcement.

Announcements:

Chief Presiding Officer: none

Board Members: J. Frisch announced that school had started and urged the community to take extra precaution while children are walking to and from school

Fire Dept. Representative: B. Hein stated that the department had five EMTs in class and were reaching a total of almost 30

Police Dept Representative: Cpt. S. Lesniewski announced that there were recent marijuana and heroin arrests in the Village. He also added that the remodeling of the Police Department front office was near completion.

Presentation by Waukesha County Sheriff's Department:

Sheriff Eric Severson was the speaker for the presentation and introduced himself, Inspector James Gumm, and Deputy Inspector Torin Misko. He explained the objectives of the presentation, praised the interactions and work done with the Eagle Police Department, and explained that he would be presenting several different contract coverage and cost scenarios. He continued, stating that contracting with WSD (Waukesha County Sheriff's Department) makes WSD you Police Department. The department has been contracting with municipalities since 1973 and currently contracts with 7 communities with varying populations from 3500 to 15,000. He stated that to individualize coverage, the municipality chooses the coverage, has input on personnel, helps determine specific priorities & enforcement, and explained that WSD will enforce local ordinances. He included there was the possibility of changing coverage hours for special events and even stationing an Inspector in the Village at no additional cost so that they would be closer to Eagle and other surrounding communities for responding. Sheriff Severson continued with listing potential benefits of contracting with WSD, such as the completion of daily logs, 24/7 – 365 access, local municipality name on squads, WSD takes care of

recruiting, training, and discipline – freeing up time spent on administration duties. WSD automatically assigns another officer at no cost in the event of illness, vacation, etc. WSD patrol has access to a supervisor on duty 24/7, access to the detective bureau, officers with specialized training, the metro drug unit, special ops, and snowmobile patrols. He explained that local municipalities retained their revenue for citations issued and the Joint Municipal Court agreement in place would remain the same. He continued to list other benefits, such as; no additional squad, vehicle maintenance, equipment, computer or training expenses, no Board involvement in discipline/firing, handles litigations, and immediate vehicle replacement due to an accident. He displayed some testimonials from three municipalities who contract with WSD: Mayor Klein – City of Pewaukee, Administrator Jeremy Smith – Village of Sussex, and Chairman Joe Osterman – Town of Lisbon. He displayed and explained examples of cost estimates outlined below:

One shift, one day/week - \$26,354

1st and 2nd shift, 5 days/week - \$297,580

1st shift 5day/week plus 2nd shift 7 days/week - \$355,231

1st and 2nd shift 7 days/week - \$414,629

He continued by outlining some additional costs: if an officer is on duty, on a call and works overtime, it is the responsibility of the municipality to cover the additional cost of overtime; transcription services for reports is an additional cost and is billed quarterly. Pricing he included was \$1.40 for the first page and \$.26 per additional page. He explained that the municipality could do their own transcription, it did not need to be part of the contract. Board members began asking questions to Sheriff Severson. G. Scheff inquired about the hourly overtime cost, which Sheriff Severson replied that he would need to follow up with a number. Also asked was what would happen to existing Eagle Police Officers. Sheriff Severson explained that, in order to be eligible to be hired on to WSD, all existing police department employees would complete WSD testing and, if hired, would be placed in a pay range with consideration of their existing time of service and are credited their years of service for benefit time purposes. L. Neuburg inquired as to how long a contract would be. Sheriff Severson stated that a 5 year contract for service is put in place, with annual evaluations for cost changes, which typically includes a 1.0 – 1.4% increase annually for increased costs. R. Spurrell and L. Neuburg inquired about increased protection hours over Kettle Moraine Days. Sheriff Severson explained that the cost of such an event could be built into the contract, however other options could be cutting hours other weeks, or overtime could be used to increase hours during the festival, or other Sheriffs could be brought in at additional cost. G. Hein asked about the potential to increase presence for speeding and semi-truck violations at no additional cost. Sheriff Severson replied that some specific needs could be addressed by special enforcement officers at no cost, but those officers would not be dedicated to the Village and would need to respond to other calls if needed. L. Neuburg inquired about special events, i.e. DARE, Trick-or-Treat and whether WSD officers would participate at Board direction. Sheriff Severson explained that at the Board's request, their officers would participate, but would be considered working hours. L. Neuburg also inquired about a location to work from in the Village. Sheriff Severson explained that the Village would be responsible for providing an office for the officer(s) to work from, i.e. separate PD, clerk's office, fire department, etc.

R. Spurrell opened up the floor to the public for questions. L. Wilkinson inquired about shift hours and times. Sheriff Severson replied that a shift would be 8.25 hrs in length and that the times would be negotiated in the contract. D. Rockteacher asked about the cost involved if specialized officers were needed to be brought in and what the cost would be for replacing an officer who was out due to training. Sheriff Severson explained that those costs would be covered under the contract. R. Spurrell asked how much time daily an officer would dedicate to administrative work. Sheriff Severson explained that there is a brief period in the morning that the officer needs to call in, then they would be on the road. Also, they call in their reports, so there is virtually no administration time for the on-duty

officer. D. Rockteacher inquired about whether the municipality receives a printed report on officer activity. Sheriff Severson stated that a report would be provided monthly, and the officer would also meet with the clerk daily for updates. A question was asked regarding the burden of liability, which Sheriff Severson explained that a municipality is not completely exempt from being sued, it will normally be split, however can depend on the lawsuit. D. Rockteacher inquired as to what the lead time would be to make a switch from local to WSD. Sheriff Severson stated that it would largely depend on whether the existing local officers would be interested in being hired, but normally within weeks.

Consideration/Action regarding contracting with Waukesha County Sheriff's Department: It was suggested by several Board members to table any action until they could review the information provided to make an informed decision. Motion made by J. Hoefakker to table. Seconded by J. Frisch. Motion carried (6-0)

Consideration/Action regarding Town of Mukwonago Police Department giving a presentation regarding coverage possibilities: R. Spurrell explained that he was contacted by the Chief at the Town of Mukwonago Police Department for the possibility of presenting to the Village Board. Motion made by J. Frisch to approve a presentation by the Town of Mukwonago Police Department. Seconded by J. Hoefakker. Motion carried (6-0)

Consideration/Action regarding Operator's License Applications

- a. Michael Lafferty
- b. Keeley Sterner

Motion made by L. Neuburg to approve licenses for Michael Lafferty and Keeley Sterner. Seconded by G. Scheff. Motion carried (6-0)

Consideration/Action regarding the Village of Eagle Comprehensive Plan: R. Spurrell explained that the Planning Commission had reviewed the plan and determines the needs were still valid and relevant to the Village. It was approved to recommend approval to the Village Board to approve the plan, with statistical updates to be done by Clerk C. Zindars and Superintendent of Public Works S. Deegan. Motion made by L. Neuburg to approve Planning Commission's recommendation. Seconded by G. Scheff. Motion carried (6-0)

Consideration/Action regarding Village Employee Uniform Dental Benefit Coverage for 2016: R. Spurrell explained that the existing health plans would no longer be offering dental coverage and in order for employees to obtain dental coverage through their employer, the Board would need to approve the dental plan separately and then the employee would have the option to elect dental coverage. Motion made by R. Spurrell to approve Uniform Dental Benefit Coverage for 2016 for Village Employees. Seconded by L. Neuburg. Motion carried (6-0)

Consideration/Action regarding Village Employee Insurance Contributions: R. Spurrell explained that State Law allows the Village to pay between 50-88% of health benefit coverage for employees and currently the Village pays 88%. G. Hein suggested the item be tabled until the Board had time to review the 2016 proposed budget. Motion made by G. Scheff to table the item. Seconded by G. Hein. Motion carried (6-0)

Consideration/Action regarding new forms to be used in the Village Office

- a. Open Records Request Form**
- b. Complaint Form**
- c. Contract for Use of Park and Registration for Recreational Consumption of Alcohol**

Board members reviewed the written Clerk's comments regarding the form changes. Motion to approve Open Records Request form, Complaint Form, and Contract for Use of Park and Registration for Recreational Consumption of Alcohol Form to be used in the Village Office made by L. Neuburg. Seconded by J. Frisch. Motion carried (6-0)

Discussion regarding Impact Fees: R. Spurrell gave the floor to J. Steinberg and indicated that she had requested this item be placed on the agenda. J. Steinhart asked why the Police Department Impact Fees need to be used on a brick and mortar project and why they couldn't be changed to use for other projects, i.e. maintenance, park needs, etc. R. Spurrell explained that an Impact Fee study was done in 2006, indicating that impact fee collection was needed for the Library, Police Department, and Water. He continued by stating that this was currently what the Village was collecting for and, due to State statute, could only be used for Capital Projects – brick and mortar. J. Steinhart asked if the Village contracted with WSD, could the impact fees be used to build a substation for their use, or an addition to the existing police garage to include an office. R. Spurrell stated that he believed those would be permitted uses for the funds.

Committee Reports/Action Items: (Information on discussion and action taken at previous meeting(s), future agenda items and upcoming scheduled meeting(s) :

a. Code & Ordinance –

- 1. Consideration/Action regarding Ordinance #216 An Ordinance to Amend Chapter 14 LICENSES AND PERMITS of the Municipal Code – by adding Section 14.07 REGULATION AND REGISTRATION OF CHICKENS AND DUCKS –** J. Frisch explained that, through his research, he had found that approximately 75% of municipalities in the State allowed chickens. He also noted that he had called several of these municipalities and none had received complaints regarding chickens. He indicated that after receiving input from the community regarding the proposed chicken ordinance, he had concluded that approximately 40% of residents were in favor of allowing chickens and 60% were opposed. G. Hein asked who would enforce the ordinance. L. Neuburg responded that the Eagle Police Department would be in charge of enforcement. G. Scheff expressed his opposition to the fact that the ordinance did not charge a licensing fee, residents had 30 days after obtaining birds to register with the Clerk, and there was no requirement to register with the State Department of Health. Motion made by L. Neuburg to approve Ordinance #216. Seconded by J. Hoefakker. (3-3) L. Neuburg, J. Hoefakker, J. Frisch in favor, G. Hein, G. Scheff, R. Spurrell opposed. Motion failed due to lack of majority.
- 2. Consideration/Action regarding the form for the registration of chickens and/or ducks for use in the Village Office:** No Action taken
- 3. Consideration/Action regarding warnings issued for chickens within the Village:** R. Spurrell stated that the Village Attorney has a stance that chickens are not allowed in the Village and that the existing ordinances should be enforced. Motion made by R. Spurrell to cease the 60 day extension for warnings issued and enforce immediately. Seconded by G. Scheff. (3-3) G. Hein, G. Scheff, R. Spurrell in favor, L. Neuburg, J. Hoefakker, J. Frisch opposed. Motion failed due to lack of majority. R. Spurrell stated that because of the existing ordinances, the warnings would still be enforced after the 60 day extension had lapsed.

- b. **Eagle Recreation Department** – J. Davis provided the date of the next meeting, Monday, September 14th.
- c. **Fire & Building** – R. Spurrell stated that Palmyra expects to be able to cease mutual aid by the end of the month
- d. **Library** – G. Hein, no meeting
- e. **Nature Trail** – J. Hoefakker provided the date of the next meeting, September 15th at 5pm. L. Neuburg included that J. Weedman had been visiting colleges and recruiting volunteers to help with the Nature Trail
- f. **Personnel & Finance** – R. Spurrell stated that they were unable to meet, however planned to review the HR policy and 2016 budget at the next meeting
- g. **Police & Licensing** – L. Neuburg stated that the committee had discussed the budget and staffing needs at the last meeting. She also indicated that her and G. Scheff had signed up for and planned to attend the upcoming Citizen's Academy
- h. **Public Works & Property** – G. Scheff announced that the committee had been working on the 2016 budget at the last meeting, and had also recommended to the Board, approval of a stop sign to be placed on the corner of S. Sherman St and Field St.
 - 1. **Consideration/Action for placement of stop signs at S. Sherman St and Field St:** L. Neuburg stated that she didn't think the stop sign was needed. R. Spurrell remarked that all others in the area were 4-way stops. G. Scheff stated that a resident had made the request and felt it was needed.
 - 2. **Consideration/Action regarding updating ordinance 4.04 Through Highways and Controlled Intersections Paragraph 3 Designation of Location of Stop Signs:** Motion made by J. Frisch to approve the placement of the stop sign and update to ordinance. Seconded by G. Hein. Motion carried (5-1) L. Neuburg opposed.

Adjournment: Motion to adjourn made by G. Scheff. Seconded by J. Hoefakker. Motion carried (6-0). Meeting adjourned at 9:53pm.